
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Antonio Santiago)	File No.: EB-FIELDSCR-14-00014964
)	
Amateur Licensee, Call Sign KP4IA)	NOV No.: V201432680004
)	
Toa Alta, Puerto Rico)	
)	

NOTICE OF VIOLATION

Released: April 23, 2014

By the Resident Agent, San Juan Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)¹ to Antonio Santiago, amateur radio licensee call sign KP4IA in Toa Alta, Puerto Rico. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On April 3, 2014, in response to a complaint of interference from the Federal Aviation Administration (FAA) to the air traffic control frequency of 119.400 MHz, an agent from the San Juan Office observed the following violation:

- a. 47 C.F.R. § 97.307(c): "All spurious emissions from a station transmitter must be reduced to the greatest extent practicable. If any spurious emissions, including chassis or power line radiation, causes harmful interference to the reception of any other radio station, the licensee of the interfering amateur station is required to take steps to eliminate the interference in accordance with good engineering practice." Using a mobile direction finding vehicle, an agent from the San Juan Office determined that an interfering signal was emanating from the antenna structure for WLII/WSUR License Partnership G.P. in Cerro Marquesa, Aguas Buenas, PR. Personnel from the TV station identified the amateur equipment belonging to Antonio Santiago (KP4IA) as the only equipment capable of transmitting in that band (near 119.400 MHz) on the antenna structure. At the time of inspection, Station KP4IA was transmitting a spur that started on 120.0 MHz and ended on 119.4 MHz every

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

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few seconds. On/off tests confirmed that the amateur transmitter for KP4IA was causing the interference to the FAA. You have ceased transmitting pending resolution of the interference.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. You must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Rules, we direct you to support your response to this Notice with a signed and dated affidavit or declaration under penalty of perjury verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in your possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
San Juan Office
US Federal Building Room 762
San Juan, PR 00918-1731

6. This Notice shall be sent to Antonio Santiago at his address of record.

³ 47 U.S.C. § 308(b).

⁴ 47 C.F.R. § 1.89(c).

⁵ Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 C.F.R. § 1.16.

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

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7. The Privacy Act of 1974⁷ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

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William Berry
Resident Agent
San Juan Office
South Central Region
Enforcement Bureau

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).